IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

TREVA THOMPSON, et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:16-cv-783-ECM-SMD
)	
JOHN H. MERRILL, in his official)	
capacity as Secretary of State, et al.,)	
)	
Defendants.		

PLAINTIFF GBM'S REPLY IN SUPPORT OF THEIR PARTIAL MOTION FOR SUMMARY JUDGMENT

This Court has received ample briefing, including two cross-motions for summary judgment, on Plaintiff GBM's straightforward claim seeking compliance with the National Voter Registration Act's ("NVRA") mandate that states specify the eligibility requirements for voting that they impose on their citizens. Moreover, a close comparison of Defendant's most recent motion for summary judgment on this claim, Doc. 261 at 111-36, and Defendant's opposition to Plaintiff's most recent motion for summary judgment on this claim, Doc. 265, reveals nearly identical text and arguments. Therefore, Plaintiff GBM has largely responded to the Defendant's arguments in its own opposition, Doc. 268 at 72-78, and, to avoid repetition, Plaintiff GBM incorporates those arguments herein.

First, Plaintiff GBM merely reiterates that the statutory text of the NVRA requires that registration forms specify eligibility requirements. This mandate is broad and uniform. It admits of no exceptions merely because eligibility requirements are a "mouthful," or because the requirement at issue "applies to a small percentage of the population." Doc. 265 at 9, 24. Defendant's contentions to the contrary are absurd. Moreover, Defendant's suggestion that a "one-

page (front and back) [registration] form," *id.* 19, 24, 30, is essential is easily disproven by the Secretary's own actions. Indeed, the Court need look no further than the Secretary's own proposed voter registration form to implement Alabama's documentary proof of citizenship law—which it has not yet attempted to enforce—to see that the Secretary is willing to dedicate a full page of instructions (and several additional pages of forms) to a single eligibility requirement when it suits him:



State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

- Proof of U.S. citizenship is established by providing an original or legible photocopy or a copy in digital
 or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent
 governmental agency of any state within the U.S. provided that the governmental agency of
 another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition
 of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's
 ID card contains appropriate indicia showing proof of U.S. citizenship. Alabama driver's license or
 nondriver's ID card must be a "Star" license or ID.
 - Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of
 certificate of naturalization is provided, applicant shall not be registered until number of certificate
 of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of
 Registrars pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

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See Ex. 1 (Proposed Rule 820-2-2-.25 Mail-In Voter Registration Form); see also Ex. 2 (Proposed

Rule 820-2-2-.24 Agency Based Voter Registration Form).

Second, in his opposition, Defendant Merrill suggests that Plaintiff GBM misrepresented

the legislative history of the NVRA in suggesting that "Congress . . . sought to avoid potential

voters having to disclose [their felony convictions] to determine eligibility[.]" Doc. 265 at 12-3,

n.7. To this, Plaintiff GBM puts forward the text of the legislative report: "Since some of the

reasons for declining to register to vote may involve matters of personal privacy, such as

ineligibility under State law due to mental incompetence or a criminal conviction, an individual

who declines to register to vote shall not be questioned as to the reasons for such action." H.R.

Rep. No. 103-9, at 8 (1993); see also S. Rep. No. 103-6, at 24 (1993) ("The bill provides that all

registration requirements should be set forth in the application to register to vote so that they will

be readily available for each applicant to review during the application process."). That felony

convictions are matters of public record does not mean that individuals should be required to

disclose them to strangers at every turn.

But this Court need not address the plain legislative history because Congress's intent is

reflected in the plain language of the statute. This claim presents a straightforward reading of

statutory text to which Defendant Merrill provides no straightforward response. This Court should

grant Plaintiff's motion for summary judgment on its NVRA claim.

Dated: October 13, 2020

Respectfully Submitted,

/s/ Danielle Lang

Danielle Lang (CA Bar: 304450)

J. Gerald Hebert (VA Bar: 38432)

Mark P. Gaber (DC Bar: 988077)

Molly Danahy (DC Bar No. 1643411)

Campaign Legal Center

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that, on October 13, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record as listed below.

/s/ Danielle Lang
Danielle Lang
Counsel for Plaintiffs

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Counsel for Defendants

EXHIBIT 1

APA-1 Revised 4/2018

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control Department or Agency Secretary of	State
Rule No. 820-2-225 Rule Title: Mail-in Voter Registration Form	
New X Amend Repeal	Adopt by
Reference	
Would the absence of the proposed rule significantly	
harm or endanger the public health, welfare, or safety?	No
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?	No
Is there another, less restrictive method of	'4
regulation available that could adequately protect	
the public?	No
Does the proposed rule have the effect of directly	
or indirectly increasing the costs of any goods or	
services involved and, if so, to what degree?	No
Is the increase in cost, if any, more harmful to the public than the harm that might result from the	
absence of the proposed rule?	No
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?	Yes

Does the proposed rule have an economic impact?	No
If the proposed rule has an economic impact, the propose required to be accompanied by a fiscal note prepared in subsection (f) of Section 41-22-23, Code of Alabama 1975	accordance with
****************	******
Certification of Authorized Official	
I certify that the attached proposed rule has been proposed compliance with the requirements of Chapter 22, Title 41 1975, and that it conforms to all applicable filing requirements and applicative Procedure Division of the Legislative Service.	, Code of Alabama
Signature of certifying officer \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
	R21 PH12: 56
•	IVE SUC ACENOV

(DATE FILED)

(STAMP)

APA-2

(Agency Name) (Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE: 820-2-2-.25 Mail-in Voter Registration Form

INTENDED ACTION:

Amend Rule

SUBSTANCE OF PROPOSED ACTION:

Added a link to the Voter Registration Form for people to find additional information on Moral Turpitude felonies.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36130; (334) 242-4298.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 3, 2019

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the Secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 242-4298.

Secretary of State

820-2-2-.25 Mail-In Voter Registration Form.



State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

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 or other electronic format of ONE of the following documents:
 - Driver's license or nondriver's ID card issued by division of motor vehicles or equivalent
 governmental agency of any state within the U.S. provided that the governmental agency of
 another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) as a condition
 of issuance of the driver's license or nondriver's ID card and that the driver's license or nondriver's
 ID card contains appropriate indicia showing proof of U.S. citizenship. Alabama driver's license or
 nondriver's ID card must be a "Star" license or ID.
 - Birth certificate indicating birth in the U.S. or one of its territories.
 - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of
 certificate of naturalization is provided, applicant shall not be registered until number of certificate
 of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of
 Registrars pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

You can use this form to: ➤ Register to vote in Alabama. ➤ Update your voter registration changed your name or address: Deadline for submitting application voter registration and updating of during the 14 days prior to each elements.	record, if you have Live in Li	◆ PLEASE USE INK ◆ PRINT LEGIBLY If to vote in the State of Alabama, you must: Itizen of the United States. Alabama. least 18 years of age on or before election day. If you have onvicted of a disqualifying felony, or if you have onvicted, you must have had your civil rights restored. If you have been declared 'mentally incompetent' by a court.
Are you a citizen of the United Sta Will you be 18 years of age on or be Print Your Name: Print Your Name: Print Your Name Print Your Na	tes of America? Yes No • ofore election day? Yes No •	ATTENTION! If you answer "No" to either of these questions, do not complete this application. Alabama Driver's License or Nor-
Print Malden Name / Former Name Moss Date of Birth (masklyyy) Primary	Lize Sofie	Driver ID Number: STATE NUMBER IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER Last four digits of Social Security number:
()		I do not have an Alabama driver's license or Alabama non-driver ID or a Social Security number.
Address where you live: (Do not use post affice box)	e Address (include aparlment or other unit number a applica	ore] City State ZiP
Address where you live: (Do not use post affice box) Address where you receive your mail:	ng Accirass, if different from House Address	Gry State ZIP
Address where you were Fernillest registered to vote: (Do not use post effice box)	er Address City	County State ZIP
Sex (check one) Female Male Race (check one) White Black Asian American Indian Hispanic Other	Place of Birth Gay Coul Map / Diagram If your forms has an arrest rulmout or pame, please or where your house is located. Please include roads and	⑤Did you receive assistance?
REGISTRARS USE ONLY DATE APPROVED DENIED		
County Pct	Voter Declaration - Read	and Sign Under Penalty of Perjury
Board member Board member	I am a U.S. chizen I five in the State of Alabama I will be at least 18 years of age on or before election day I am not barred from voting by reason of a disqualifying felonies is available on the Secretary of State's website at: sos.alabama.gov/intfelonies I have not been judged "mentally incompetent" by a court of law.	I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama
	YOUR SIGNATURE	DATE:
Board member	If you falsely sign this statement, you can	be convicted and imprisoned for up to five years.
The decision to register to vote is yours remain confidential and will be used on confidential and will be used only for vo	i. If you decide to register to vote, the office by for voter registration purposes. If you de	e at which you are submitting this application will cline to register to vote, your decision will remain



John H. Merrill - Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

To mail, put the address of your county	Board of Registrars on the lines below.	
ITHIS SPACE FOR CURPENT	ADDESSES AND BUOKE NUMBERS OF BOARDS OF BOARDS	
[MIN DI NOL FOR CORRENT A	ADDRESSES AND PHONE NUMBERS OF BOARDS OF REGISTRARS OF	FICES]
YOUR ADDRESS:		PUT
		FIRST CLASS STAMP
		HERE
	MAIL TO:	
9	BOARD OF REGISTRARS	
	EST THE HAN THE R	

AFFIDAVIT AND APPLICATION FOR A CERTIFICATION OF AN ALABAMA BIRTH RECORD FOR ALABAMA VOTER REGISTRATION USE

In comp	liance with Section 31-	13-28 of the Alabama Cod-	e (Beason-Hammon Alahama T	axpayer and Citizen Protection Act),		
1 Swear t	inder oath that I am o'	ver the age of 16 at least 18	vears of age or if not will be	18 on or hefere the next alasting 1x		
plan to r	egister to vote in the S	ate of Alabama and that I	do NOT possess any of the foll	owing documents that constitute		
evidence	of U.S. citizenship:					
1.	the U.S. (i.e., U.S. citilicense or nondriver'	zenship) as a condition of is Significant be a "Star" licer	gency of another state within the I ssuance of the driver's license or r use or ID.	ivalent governmental agency of any state U.S. requires proof of lawful presence in nondriver's ID card. Alabama driver's		
2.	Birth certificate indica	ting birth in the U.S. or one	of its territories			
3.	Pertinent pages of a valid or expired U.S. passport, or original passport					
4.	U.S. naturalization documents or the number of the certificate of naturalization.					
5.	Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality					
	Act of 1952. Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.					
6.	Bureau of Indian Affa	is card number, tribal treaty	y card number, or tribal enrollmen	nt number.		
7.		h abroad of U.S. citizen.				
8.	Certificate of citizensh	ip issued by the U.S. Citizer	nship and Immigration Services.			
9.	Certification of report	of birth issued by the U.S. S	State Department			
10.	American Indian card,	with KIC classification, issu	ued by the U.S. Denartment of H	omeland Security		
11.	Final adoption decree:	showing name and U.S. birt	hplace.			
12.	Official U.S. military 1	ecord of service showing nl	lace of hirth in the LLS			
13.	Extract from a U.S. ho	spital record of birth created	at the time of birth indicating pl	ace of hirth in the ITS		
14.	Copy of declaratory iu	dgment by a U.S. court conf	firming citizenship under 8 U.S.C	2 81373		
			ander o o.b.c	5. 81575.		
	ture of Notary 1 to and subscribed befo	re me on				
Date		_				
Informati	on to Locate Birth Rec	ord. PI FASE CI FARI VI	PRINT ALL INCORMATION I	FAILURE TO PROVIDE ACCURATE		
INFORMA	ATION COULD DELA as Listed on Birth Reco	Y THE PROCESSING OF T	THIS REQUEST	FAILURE TO PROVIDE ACCURATE		
		First	Middle	Last		
Date of Bi	rth:		ity of Birth:	Last		
			ity of Bitti.			
Mother's F	ull MAIDEN Name:					
		First	V4, 111	-		
Enther's Ex	ıll Name:		Middle	Last		
amer ST	ili Name.					
7 1 D	'	First	Middle	Last		
voter Reg	istration Office Inform	ation:				
County of	Voter Registration Offic	e:				
Vlailing Ad	ldress:			_		
City:		State: Alabama Zip:	E-mail Address:			
		• •				
Signature	of Voter Registration (Date of Request		
hone num	ber with area code: (Fax number with area code:			
	Vacques		min area code.	ADPH -HS-89.1.20		

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

I, _____, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows:

I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:

- (1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. Alabama driver's license or nondriver's ID card must be a "Star" license or ID.
- (2) A birth certificate indicating birth in the U.S. or one of its territories.
- (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
- (4) United States naturalization documents or the number of the certificate of naturalization.
- (5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
- (6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
- (7) A consular report of birth abroad of a citizen of the United States of America.
- (8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
- (9) A certification of report of birth issued by the United States Department of State.
- (10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
- (11) A final adoption decree showing my name and United States birthplace.
- (12) An official United States military record of service showing my place of birth in the United States.
- (13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.
- (14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

I believe that I am a United States citizen based upon the following information:

(Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown, Edward Packard, William Sutton, David Brewer, and Brent Beal.

Statutory Authority: Code of Ala. 1975, §§ 31-13-28 (2012), 17-3-1 (2006).

History: New Rule: Filed September 31, 2016; effective March 7, 2013.
Repealed and New Rule: Filed April 13, 2015; effective May 15, 2015.

Ed. Note: Rule .24 was renumbered .25 as per certification filed March 4, 2016; effective April 18, 2016.

EXHIBIT 2

APA-1 Revised 4/2018

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control Department or Agency Secretary	of State
Rule No. 820-2-224 Rule Title: Agency-Based Voter Registration Form	
New X Amend Repeal	Adopt by
Reference	
Would the absence of the proposed rule significantly	
harm or endanger the public health, welfare, or safet	y? No
To thoron processes and additional to the second	
Is there a reasonable relationship between the state' police power and the protection of the public health,	S
safety, or welfare?	No
Is there another, less restrictive method of	
regulation available that could adequately protect	
the public?	No
Doog the proposed rule have the effect of 1	*
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or	
services involved and, if so, to what degree?	No
Is the ingresse in cost if one many haves a large	
Is the increase in cost, if any, more harmful to the public than the harm that might result from the	
absence of the proposed rule?	No
Are all facets of the mulemoline areas at the	
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as	
their primary effect, the protection of the public?	Yes
Doog the proposed estion walls to	300
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to	
concerning the subject matter of the proposed rule?	Yes

Does the proposed rule have an economic impact?	No
If the proposed rule has an economic impact, the prop	osed rule is
required to be accompanied by a fiscal note prepared	in accordance with
subsection (f) of Section 41-22-23, Code of Alabama 1	975.
**************	******
Certification of Authorized Official	
I cortify that the attached areased well had	
I certify that the attached proposed rule has been procompliance with the requirements of Chapter 22, Title	oposed in full
1975, and that it conforms to all applicable filing re-	equirements of the
Administrative Procedure Division of the Legislative	Services Agency.
Signature of certifying officer WW. Wender	CO & FILED
A	AR 21 PM 12: 56
	5-200-5-001 55 HAVEN 15-2-20 1075-47-2-0
I FOISI	ATIVE SVC AGENCY

(DATE FILED)

(STAMP)

APA-2

(Agency Name) (Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE: 820-2-2-.24 Agency Based Voter Registration Form

INTENDED ACTION:

Amend Rule

SUBSTANCE OF PROPOSED ACTION:

Added a link to the Voter Registration Form for people to find additional information on Moral Turpitude felonies.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, AL 36130; (334) 242-4298.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

May 3, 2019

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the Secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 242-4298.

Secretary of State

820-2-2-.24 Agency-Based Voter Registration Form.

(a) Pursuant to 52 U.S.C. 20504, the following form shall be used in all offices in the State that issue driver's licenses and nondriver's identification cards and all state-designated voter registration agencies designated in Rule 820-2-2-.03.



State of Alabama Voter Registration Application Instructions Regarding Proof of Citizenship for the Purpose of Registering to Vote

You must provide satisfactory evidence of U.S. citizenship when registering to vote in the State of Alabama.

You do not need proof of citizenship if you are registered to vote and you are using this form to update your registration record.

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 - Pertinent pages of a valid or expired U.S. passport identifying applicant and applicant's passport number, or presentation of U.S. passport to Board of Registrars.
 - U.S. naturalization documents or the number of certificate of naturalization. If only number of
 certificate of naturalization is provided, applicant shall not be registered until number of certificate
 of naturalization is verified with U.S. Bureau of Citizenship and Immigration Services by Board of
 Registrars pursuant to 8 U.S.C. §1373(c).
 - Other documents or methods of proof of U.S. citizenship issued by federal government pursuant to Immigration and Nationality Act of 1952 and amendments thereto.
 - Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
 - Consular report of birth abroad of U.S. citizen.
 - Certificate of citizenship issued by U.S. Citizenship and Immigration Services.
 - Birth certificate issued by U.S. State Department.
 - American Indian card with KIC classification issued by U.S. Dept. of Homeland Security.
 - Final adoption decree showing applicant's name and U.S. birthplace.
 - Official U.S. military record of service showing applicant's place of birth in the U.S.
 - Extract from U.S. hospital birth record created at time of birth showing applicant's U.S. place of birth.
 - Federal confirmation of U.S. citizenship under 8 U.S.C. §1373.
- 2) If you were born in Alabama and do not have one of the documents listed in section 1, the Alabama Department of Public Health will send a birth certificate to your county Board of Registrars at no cost to you. Please fill out the attached Form HS-89, "Affidavit and Application for a Certification of an Alabama Birth Record for Alabama Voter Registration Use," and submit it to your county Board of Registrars.
- 3) If you believe you have proof of U.S. citizenship that is not listed in section 1, you may apply to your county Board of Registrars for a hearing to determine your U.S. citizenship for voting purposes. Please fill out the attached Form C-4 and submit it to your county Board of Registrars.

FOR USE BY U.S. CITIZE FOR egister to vote in the State of Alabama Be a ditizen of the United States. Live in Alabama. Be at least 18 years of age on or before Not have been convicted of a disqualificativities, or unstructed, you must have had your civ Not have been declared "mentally inco	e election day. ying falony, or if you have been if rights restored. mpetent' by a court.	NTHIS FORM PLEA. FOR USE BY AGENCY Check one (1) box: Registrars Motor Voter State Designated Age Agency-Based Disabilities Services C	SE USE INK PRINT LEGIBI OFFICIAL ONLY Signature of Agency Represency Business Phone of Agency	sentative Representative
ID requested: You may send with this application or by absentee bellot, unless exempted by law. F ① Are you a citizen of the United Sta ② Will you be 18 years of age on or l ③ Print Your Name:	tes of America? Yes refore election day? Yes	No ATTENT No Question Alabama License o Driver ID	ns Dweson; 809-274-2693. ION! If you answer "No" to ns, do not complete this apportiver's ir Non-	either of these
Print Maiden Name / Former Name Min Min	£385	Sefe OR Last four Security	J HAVE NO ALABAMA DRIVER K ALABAMA NON-DRIVER ID N Ir digits of Social / number: t have an Alabama driver's Scense	S LICENSE TUMBER Or Alabama
(Do not use post office box)	e Address (include apartment ar other unis r		ver ID or a social security number State	ZIP
Address where you receive your mail: Address where you were Form	ing Address, if different from Hame Address	City City	Sinte County State	ZP
last registered to vote: (Do not use post office box) Sex (check one)	① Place of Birth City	County		Country
Female	Map / Diagram If your home has no sweet number or r where your house is located, Please in	eame, piease draw a map of clude roads and landmarks.	Did you receive assis If you are unacle to sign your a you fit out this application? (it) and phone number (phone num	ame, who happed re name, address,
iondone) County Pct City Pct	➤ Tam a U.S. citizen ➤ Tive in the State of Alabar ➤ Twill be at least 18 years of	πa If age on or before	Under Penalty of Perjury I solemnly swear or affirm to su defend the constitution of the L	Inited States
Board member Board member	election day I am not barred from votin disqualifying felony convi disqualifying felonies is a Secretary of State's web s sos.alabama.gov/mtfeloni I have not been judged "m in a court of law	g by reason of a ction (The list of vailable on the ite at: 23) entally incompetent"	and the State of Alabama and fi any belief or affiliation with any advocates the overthrow of the of the United States or the State by unlawful means and that the contained herein is true, so hely	group which governments of Alabama information
Board member The decision to register to vote is your	YOURSIGNATURE If you falsely sign this statem If you decide to register to you	ent, you can be convic	DATE	to five years.
emain confidential and will be used or onfidential and will be used only for v Dohn H. Merrill - Secretar	lly for voter registration purpose oter registration purposes.	es. If you decline to re	you are submitting this app gister to vote, your decision on at 1-800-274-8683 or 3.	ı wili remain

In comp	liance with Section 31-13-28 of	of the Alabama Code	(Beason-Hammon Alabama Ta	Naver and Citizen Protec	tion A at T	
Swcai ui	iuci oam mai i am over me a	ge of 10 at least 18 ve	ars of age or if not will be 18 o	n or hofore the mount alami-	- IT 1	
to regist	er to vote in the State of Alab	ama and that I do No	OT possess any of the following	documents that constitute	mand I plan	
of U.S. c	mzensmp:					
1. 2.	U.S. (i.e., U.S. citizenship) as or nondriver's ID must be Birth certificate indicating bir	the governmental ages a condition of issuance a "Star" license or II th in the U.S. or one o	f its territories.	requires proof of lawful am	comes in al.	
3.	B. Pertinent pages of a valid or expired U.S. passport, or original passport.					
4.	U.S. naturalization document	s or the number of the	certificate of naturalization			
5.	Other documents issued by the of 1952.	ne Federal Governmen	at proving U.S. citizenship, pursual	nt to the immigration and Na	tionality Act	
6.		number tribal treature	ard number, or tribal enrollment i	zona Lucci		
7.	Consular report of birth abro	ad of U.S. citizen	and humber, of theatemomnent	lumber.		
8.	Certificate of citizenship issue	ed by the U.S. Citizens	hip and Immigration Services.			
9.	Certification of report of birth	issued by the IIS St	ate Department		la l	
10.	American Indian card, with K	IC classification issue	d by the U.S. Department of Hon			
11.	Final adoption decree showin	g name and US birth	place	leland Security.		
12.	Official U.S. military record o	f service showing place	of hirth in the TIS			
13.	Extract from a U.S. hospital r	ecord of birth created	at the time of birth indicating plac	a of himb in the TIC		
14.	Copy of declaratory judgment	by a U.S. court confir	ming citizenship under 8 U.S.C. §:	272		
	., ,, ,	•	g	3, 3.		
Printe	d Name of Applicant					
	Transition of the state of the					
			Notary Se	eal or Stamp		
Signat	ture of Applicant		,	es manes k o		
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Sworr	to and subscribed before me o	on			- 1 "	
					1	
Date						
Informati	on to Locate Birth Record: P	LEASE CLEARLY PI	RINT ALL INFORMATION. FA	AILURE TO PROVIDE AC	CLIBATE	
HALOKM	ATTON COULD DELAY TH	E PROCESSING OF	THIS REQUEST		CORUTE	
Full Name	as Listed on Birth Record:				1	
	76- TOO	First	Middle	Last		
Date of Bi	rth:	Count	ty of Birth:			
					1	
Mother's F	ull MAIDEN Name:					
		First	Middle	Last		
Father's Fu	ill Name:					
		First	Middle	Last		
	istration Office Information:					
County of	Voter Registration Office:					
	dress:					
City:	State	: <u>Alabama</u> Zip:	E-mail Address:		_	
O.	ATT					
Signature	of Voter Registration Official			Date of Request		
Phone num	ber with area code: ()		Fax number with area code: () -		
			I as mumber with area code: (

APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Co	omplete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.
Ι, _	, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows:
	I am a United States citizen but do not possess or have access to any of the following documents showing United States Citizenship:
	(1) A driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of any state within the United States provided that the governmental agency of another state within the U.S. requires proof of lawful presence (i.e., U.S. citizenship) in the U.S. as a condition of issuance of the driver's license or nondriver's identification card. Alabama driver's license or nondriver's ID card must be a "Star" license or ID.
	(2) A birth certificate indicating birth in the U.S. or one of its territories.
	(3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
	(4) United States naturalization documents or the number of the certificate of naturalization.
	(5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
	(6) A Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number.
	(7) A consular report of birth abroad of a citizen of the United States of America.
	(8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
	(9) A certification of report of birth issued by the United States Department of State.
	(10) An American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
	(11) A final adoption decree showing my name and United States birthplace.
	(12) An official United States military record of service showing my place of birth in the United States.
	(13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.

I believe that I am a United States citizen based upon the following information:

(14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

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(Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

NOTICE OF RIGHT TO HEARING BEFORE THE COUNTY BOARD OF REGISTRARS

I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

(b) Pursuant to 52 U.S.C. 20506, the following form shall be used in all offices in the State that provide public assistance and all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.



STATE OF ALABAMA AGENCY-BASED VOTER REGISTRATION APPLICATION

APPLY TO REGISTER TO VOTE HERE TODAY?				
I want to apply to register to vote today.				
I want to change my address for voting purposes by use of this form.				
I do not want to apply to register to vote today.				
IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.				
Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.				
If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private.				
Name Date Signaure				
Please detach lower portion and give to applicant				
IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION				

PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-208, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8683).

State of Ala FOR USE BY U.S. CITIZE. To register to vote in the State of Alabam Be a dizen of the United States.	abama Agency-Bas vs only • Fill IN ALL BOXES o a, you must:	FOR USE BY AGENCY	ASE USE INK . PE	Form	NVRA-1B BESSS
 Live in Alabama. Be at least 18 years of age on or before 	en planting sky v	Check one (1) box: Registrars	Signature of	Agency Representativ	10
 Not have been convicted of a disquali 	lying felony, or if you have been	☐ Motor Voter ☐ State Designated Ag		uhaneli ivabiasasiimisi	
 convicted, you must have had your cir Not have been declared "mentally incr 		☐ Agency-Based ☐ Disabilities Services	Office Business Pho	one of Agency Repres	evilative
ID requested: You may send with this application or by absented ballot, unless exempted by law. I	n a copy of valid photo identification. You : for most information, on bowers Alabamal	till be required to present vol intarif) som as call the Electi	id photo identification w	hen you vate at your p	iciling place
① Are you a citizen of the United St			TION! If you answ		of these
② Will you be 18 years of age on or	The state of the s	☐ No	ins, do not comple	ta this applicatio	n.
3 Print Your Name:	Entrolled Assistant documents	Alabama License	or Non-		
Ø5.	44		Number: STATE	NUMBE	
Print Maiden Name / Former Name fra ware	o (if reporting a change of name)	Suffic O	U HAVE NO ALABA R ALABAMA NON-E	MADRIVER'S LICE	R T
(5) Date of Birth (mudityyy) (6) Primary	Telephone (7) Email Address		our digits of Social ty number:		
()		□ I do no non-dr	ot have an Alabama dr fiver ID or a social sec	iver's Roanse or Alai unity number.	bama
Address where you live: (Do not use post office box)	ra Address (include apartment or other unit			Stare	ZIP
(Do not use post office box) Address where you receive your mail:	ing Address, if different from Home Address	Спу		Slate	ZP
Address where you were last registered to vote: (Do not use post office box)	ner Address	City	County	State	ZIP
Sex (check one)	Place of Birth City	County	State	Country	/
☐ Female ☐ Male					
	Map / Diagram If your name has no sweet sumber or where your house is located. Please where your house is located.	rame, pisase draw a map o nclude roads and landmarks	if you are unacle you fill out this ap	ceive assistance to sen your eame, w oplication? Give name er (phone number is a	no reiped a, address,
REGISTRARS USE ONLY DATE APPROVED DEMED			The state of the s		
imanyyi					
County Pct	Voter Decla	ration - Read and Sig	n Under Penalty of I solemnly swear of		and I
City Pct	 I live in the State of Alaba I will be at least 18 years 	ma of ace on or before	defend the constitu		1
*	election day lam not barred from voting		and the State of Ala		1
Fig. 1	disqualifying felony conv	iction (The list of	any belief or affiliat advocates the over		
Board member	disqualifying felonies is a Secretary of State's web :	iite at:	of the United States		1
The control of the co	sos.alabama.gov/mtfelon have not been judged "n		by unlawful means	and that the inform	ration
Board member	in a court of law	sautant's meambarent	contained herein is	true, so help me G	icd,
494	YOURSIGNATURE		DATE	n waye	
Board member	If you falsely sign this staten	nent, you can be conv	icted and imprisor	ned for up to five	years,
The decision to register to vote is you remain confidential and will be used o confidential and will be used only for w	nly for votor registration purpos	ote, the office at which es. If you decline to r	h you are submitti 'egister to vote, yo	ng this application ur decision will i	on will remain
Dohn H. Merrill - Secreta	y of State Questions? Call	the Elections Division	on at 1-800-274-	8683 or 334-24	2-7210

In compliance with Section 31	-13-28 of the Alabama	Code (Beason-Hammon Alabama Ta	expayer and Citizen Protection Act)	T			
swear under oath that I am ov	er the age of 16 and 1 p	an to register to vote in the State of	Alabama and that I do NOT posses	,1			
any of the following document	ts that constitute eviden	ice of U.S. citizenship:		3			
 Driver's license or no 	ndriver's ID card issued	by division or motor vehicles or equival	ent governmental agency of any state	- 1			
within the U.S. provi	ded that the government:	I agency of another state within the U.S.	requires proof of lawful presence in	the			
U.S. (i.e., U.S. citizen:	ship) as a condition of iss	uance of the driver's license or nondriv	er's ID card. Alabama driver's licens	e e			
or nondriver's ID m	ust be a "Star" license	or ID.	The second secon	,			
Birth certificate indicate	ating birth in the U.S. or	one of its territories.					
Pertinent pages of a v	ralid or expired U.S. pass	oort, or original passport.					
 U.S. naturalization do 	cuments or the number	of the certificate of naturalization					
Other documents issu	ed by the Federal Gover	nment proving IIS citizenship pursus	nt to the immigration and Nationality	A			
of 1952.	 Other documents issued by the Federal Government proving U.S. citizenship, pursuant to the immigration and Nationality Act of 1952. 						
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Consular report of bit	th abroad of U.S. citizen	owy out a narrater, or tribal emounters	idinoci.				
	nip issued by the U.S. Cit	izenship and Immigration Services.					
Certification of report	of birth issued by the U	S State Department		1			
10. American Indian card	with KIC classification	issued by the U.S. Department of Hon	saland Consider				
11. Final adoption decree	showing name and IIS	hirthplace	letatid Security.				
12. Official U.S. military	ecord of service showing	place of birth in the U.S.		1			
13. Extract from a U.S. h	ospital record of birth cr	ated at the time of birth indicating place	a of high in the TIC	1			
14. Copy of declaratory it	idoment by a LIS court	confirming citizenship under 8 U.S.C. §	e of birth in the U.S.				
21. Copy of decimatory)	agnetic by a c.s. court	originality cicizensing didder 8 0.3.C. S	13/3.				
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D: 137 5 4 1				1			
Printed Name of Applicant							
		N. C	1 0	1			
N		INOTARY S	eal or Stamp	1			
Signature of Applicant							
St.							
Signature of Notary		2					
Swom to and subscribed before	ore me on						
<u>Participants of the Control of the </u>							
Date							
Information to Locate Birth Re	cord: PLEASE CLEAR	LY PRINT ALL INFORMATION. F.	AILURE TO PROVIDE ACCURAT	F			
INFORMATION COULD DEL	AY THE PROCESSING	G OF THIS REQUEST		~			
Full Name as Listed on Birth Rec	ord:						
	First	Middle	Last				
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		County of Bittle					
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	First	Middle	Ť				
Father's Full Name:	1 1130	Middle	Last				
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Voter Registration Office Inform							
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APPLICANT'S CITIZENSHIP FOR VOTING PURPOSES (Form C-4)

Complete and submit only if applicant has not submitted satisfactory documentary proof of citizenship.

- I, _____, hereby request a hearing with the county Board of Registrars. In support thereof, I affirm as follows:
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 - (3) Pertinent pages of a valid or expired passport identifying me and my passport number, or presentation of my U.S. passport.
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 - (8) A certificate of citizenship issued by the United States Citizenship and Immigration Services.
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 - (12) An official United States military record of service showing my place of birth in the United States.
 - (13) An extract from a United States hospital record of birth created at the time of my birth indicating my place of birth in the United States.
 - (14) Federal confirmation of U.S. citizenship under 8 U.S.C. § 1373.

I believe that I am a United States citizen based upon the following information: (Provide the details as to why or how you became a citizen of the United States.)

I submit herewith the following documentation that proves that I am a United States citizen:

(Attach copies of any documentation that you believe demonstrates citizenship, such as newspaper birth announcements, family Bible entries, certificate of foreign birth if it reflects U.S. citizenship, affidavits signed by three U.S. citizens who know you are a U.S. citizen and have known you for 10 years or more, etc.)

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I understand that I am entitled to a hearing before the Board of Registrars and an opportunity to testify and to present witnesses and additional evidence of citizenship if the Board does not determine that I have provided satisfactory evidence of citizenship based upon the information that I have supplied above. I understand that I have the right to have counsel, provided at my own expense, present at said hearing. I understand that notice of the hearing will be mailed to the address that I have provided at least five days prior to the hearing date.

Signature of applicant

Mail completed form and attached documents to your local Board of Registrars.

Authors: Jean Brown, Edward Packard, William Sutton, <u>David Brewer</u>, and Brent Beal

Statutory Authority: Code of Ala. 1975, §§ 31-13-28 (2012), 17-13-1 (2006).

History: New Rule: Filed September 31, 2013; effective March 7, 2013. Repealed and New Rule: Filed April 13, 2015; effective May 18, 2015.

Ed. Note: Rule .23 was renumbered .24 as per certification filed March 4, 2016; effective April 18, 2016.